

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,

Respondent,

vs.

MARK ANTHONY SMITH,

Petitioner.

Criminal No.: 2-08-cr-409

U.S. DISTRICT COURT  
WESTERN DISTRICT OF PENNSYLVANIA

2010 OCT -7 AM 11:19

FILED

MOTION TO AMEND ERRONEOUS FACTS STATED  
IN THE PRESENTENCE REPORT

AND NOW, this 30, day of September, 2010, upon the above captioned title, "Motion to Amend Erroneous Facts" as set forth in the PreSentence Report ("PSR"), Mark Anthony Smith ("Petitioner") moves this Honorable Court, the United States District Court, Western District of Pennsylvania, for an ORDER amending the PSR due to incorrect statements lodged in the said Report. WHEREFORE, based on the petitioner's request for relief, he states the followings under penalty of perjury:

1. That on or about Oct. 23 2008, petitioner was charged and convicted pursuant to 18 U.S.C. § 922(g), Felon in Possession of a Firearm.
2. All other charges were dropped and/or dismissed on the government's own accord. None of the charges were attributed to petitioner at sentencing as Relevant Conduct based on the § 922(g) conviction.

AND NOW, THIS 8<sup>th</sup> DAY OF  
Oct, 2010. IT IS HEREBY  
ORDERED THAT THE WITHIN  
MOTION IS DENIED.

GARY L. LANCASTER,  
UNITED STATES DISTRICT JUDGE